

Lloyd King

Honorable Lloyd King
United States Bankruptcy Judge



Entered on Docket
January 03, 2014

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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In re:)	Case No.: BK-S-12-13906 BTB
)	
HORIZON RIDGE MEDICAL &)	Chapter 11
CORPORATE CENTER, L.L.C.,)	
)	Date: September 16 & 17, 2013
Debtor.)	
)	

**ORDER CONDITIONALLY GRANTING CONFIRMATION
OF THE PLAN OF LIQUIDATION FOR DEBTOR
HORIZON RIDGE MEDICAL & CORPORATE
CENTER, LLC BY CREDITOR BANK OF
AMERICA, N.A. AS TRUSTEE**

For the reasons set forth in the Memorandum Decision Conditionally Granting Confirmation Of The Plan of Liquidation For Debtor Horizon Ridge Medical & Corporate Center LLC By Creditor Bank of America, N.A. As Trustee entered concurrently herewith, confirmation of Lender's Plan [ECF No. 126] is **CONDITIONALLY GRANTED**, provided that Bank of America, N.A. as Trustee files a modified plan of reorganization reflecting the three modifications set forth in the Memorandum Decision, specifically: 1) the Payment date for General Unsecured Creditors is changed to reflect the Effective Date rather than the Closing Date; 2) that the exculpation provision for the Lender, Plan Administrator and their various unnamed representatives be removed from the

1 plan; and, 3) that the court, not the Plan Administrator, will review and approve all
2 of the professional fees.

3 The Lender's modified Plan must be filed on or before the 5:00 pm on
4 Monday February 3, 2013, Pacific Time. Absent docketing of such a modified
5 Plan, confirmation of the Lender's Plan is and will be **DENIED**, based upon
6 Lender's impairment of the General Unsecured Class by not paying them in full on
7 the Effective date of the Plan, Lender's attempts to overreach and have its Plan
8 Administrator assume the court's duties under the code with respect to the review
9 and approval of professional fees, and inclusion of a prohibited exculpation
10 provision regarding the Lender, Plan Administrator and their various
11 representatives.

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13 **IT IS SO ORDERED**

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15 Copies noticed through CM/ECF to:

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14 and sent to BNC to:

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